

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK**

SPIN MASTER LTD. and  
SPIN MASTER, INC.,

Plaintiffs,

vs.

BUREAU VERITAS S.A., BUREAU VERITAS  
CONSUMER PRODUCTS SERVICES, INC.,  
EUROFINS SCIENTIFIC S.A. and  
EUROFINS PRODUCT SAFETY LABS,

Defendants.

**STIPULATION**

Civil No. 08 CV 0923

Hon. Richard J. Arcara, Chief Judge

**WHEREAS** Defendants Bureau Veritas S.A., Bureau Veritas Consumer Products Services, Inc., Eurofins Scientific S.E. and Eurofins Product Safety Labs (collectively “Defendants”) have filed motions to dismiss the captioned action for, among other grounds, lack of subject matter jurisdiction; and

**WHEREAS** Plaintiffs Spin Master, Inc. and Spin Master Ltd. (collectively “Plaintiffs”) and Defendants have agreed to resolve these motions by dropping certain parties from this action without prejudice pursuant to *Fed. R. Civ. P.* 21;

**IT IS HEREBY STIPULATED AND AGREED AS FOLLOWS:**

1. Plaintiff Spin Master, Inc. is dropped as a party to this action without prejudice pursuant to Rule 21.
2. Defendant Bureau Veritas S.A. is dropped as a party to this action without prejudice pursuant to Rule 21.
3. Defendant Eurofins Scientific S.E. is dropped as a party to this action without prejudice pursuant to Rule 21.
4. The Motion to Dismiss this action that Defendants Bureau Veritas S.A. and Bureau Veritas Consumer Products Services, Inc. filed on March 6, 2009 (as no. 38 on the docket) is hereby dismissed without prejudice as moot.
5. The Motion to Dismiss this action that Defendant Eurofins Scientific S.E. filed on March 6, 2009 (as no. 40 on the docket) is hereby dismissed without prejudice as moot.
6. The Motion to Dismiss this action that Defendant Eurofins Product Safety Labs filed on March 12, 2009 (as no. 47 on the docket) is hereby dismissed without prejudice as moot.

**AND IT IS FURTHER STIPULATED** that facsimile signatures will be equivalent to original signatures and that this Stipulation and Consent Order may be executed in counterparts.

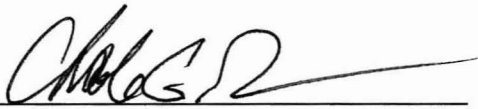
Dated: March 27, 2009

**STIPULATED AND AGREED.**


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Eurofins Scientific S.E.*

**SO ORDERED.**


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Dated: March 27, 2009

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**SO ORDERED**

\_\_\_\_\_  
Hon. Richard J. Arcara, U.S.D.J.

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